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BY ECF

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May 23, 2025

Hon. Margaret M. Garnett  
United States District Judge  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007

Re: *Pospisil et al. v. ATP Tour, Inc. et al.*, No. 1:25-cv-02207-MMG (S.D.N.Y.) –Initial Case Management Conference

Dear Judge Garnett,

Plaintiffs submit this letter to provide a status update and to seek the Court’s guidance in advance of the initial case management conference (the “Initial Conference”) scheduled for May 27, 2025, in the above-captioned case.

On May 20, 2025, pursuant to Your Honor’s Individual Rule II(A)(5), the parties submitted a joint letter in advance of the Initial Conference, and attached their competing proposed case management plans thereto. *See* ECF No. 89. That same evening, Defendants ATP Tour, Inc. (“ATP”), WTA Tour, Inc. (“WTA”), International Tennis Federation Ltd. (“ITF”), and International Tennis Integrity Agency Ltd. (“ITIA,” and, together with ATP, WTA, and ITF, “Defendants”) filed six total motions to dismiss Plaintiffs’ claims, to dismiss PTPA as a plaintiff, to compel arbitration, and/or to sever the claims and transfer venue. *See* ECF Nos. 73, 75, 77, 82, 85, 88 (the “Motions”).

In response to Defendants’ Motions, Plaintiffs intend to amend their complaint. Because of the myriad and complex issues Defendants have raised across six briefs and to ensure efficient administration of the case, counsel for Plaintiffs emailed all counsel for Defendants early on Thursday, May 22, 2025, requesting Defendants’ consent to a three-week extension of the June 3, 2025, deadline by which Plaintiffs may amend their complaint as of right under Your Honor’s Individual Rule II(B)(6). Plaintiffs’ request would set a deadline of June 24, 2025, by which Plaintiffs would have to file their amended complaint.

On May 23, 2025, counsel for ATP responded via email on behalf of Defendants. Defendants did not state their position on Plaintiffs’ requested extension and instead asked Plaintiffs to seek Your Honor’s guidance about whether it is necessary to proceed with the Initial Conference.

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Unless Your Honor advises otherwise, Plaintiffs remain prepared to attend the Initial Conference on May 27 to discuss the parties' proposed case management plans, the parties' proposed discovery schedules, and any other issues Your Honor may wish to discuss.

Plaintiffs are, of course, also prepared to discuss their plan to amend their complaint and their request for an extension to file their amended complaint. Plaintiffs' proposed case management plan accounts for their ability to amend their complaint as of right. As such, Plaintiffs' intention to amend and request for an extension do not warrant any adjustment to the case management plan or case schedule Plaintiffs proposed on May 20, *see* ECF No. 89-2, which Plaintiffs maintain is appropriate for the above-captioned case. Plaintiffs reiterate their position that setting a case schedule now, with dates certain for each of the deadlines, is critical to move this case forward. *See* ECF No. 89 at 2.

Plaintiffs emphasize that their proposed three-week extension of the deadline to file their amended complaint and any subsequent briefing of Defendants' responsive motions would not disrupt or delay the case schedule Plaintiffs proposed, in which discovery would not conclude until January 2027. *See* ECF No. 89-2. Should Your Honor grant Plaintiffs' requested extension, Plaintiffs would also agree to a commensurate extension of Defendants' time to answer or otherwise respond to Plaintiffs' amended complaint.

In sum, as counsel for ATP requested, Plaintiffs seek the Court's guidance with respect to whether it wishes to proceed with the Initial Conference in light of the matters described herein.

We thank the Court for its attention to this matter.

Respectfully submitted,

*/s/ Andrew S. Tulumello*

Andrew S. Tulumello  
(admitted *pro hac vice*)  
*Counsel for Plaintiffs*

cc: all counsel of record (via ECF)